

Issued June 28, 1910.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 433, FOOD AND DRUGS ACT.

MISBRANDING OF SKIN FOOD—"EPP-O-TONE."

On or about February 17, 1908, the La Cattel Manufacturing Company, of Detroit, Mich., shipped from the State of Michigan to the State of Ohio a consignment of a preparation labeled "Epp-o-tone, a skin food for beautifying the complexion." A sample of this preparation was procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report thereon indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, said La Cattel Manufacturing Company, and the party from whom the sample was procured, were afforded opportunities for hearings. As it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Eastern District of Michigan charging the above shipment and that said product consisted essentially of magnesium sulphate, commonly known as Epsom Salts, colored with a pink dye, and was not a skin food in any sense or beneficial to the skin, and was therefore misbranded within the meaning of the act.

On January 26, 1909, the defendant filed a plea of nolo contendere and the court imposed a fine of \$10.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 23, 1910.*

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